

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION

DAVEON McCULLOUGH

CIVIL ACTION NO. 05-0674

-VS-

JUDGE LITTLE

BURL CAIN, WARDEN

JUDGMENT

Before the court is a report and recommendation of the magistrate [Doc. #7] suggesting that the petition for *habeas corpus* filed by *pro se* plaintiff Daveon McCullough (“McCullough”) be dismissed for failure to request additional time to amend his petition or file the documents requested by the magistrate’s order dated 20 July 2005 [#4].¹ On 17 April 2006, McCullough timely filed his objection, styled as an affidavit, indicating that he had requested that the documents be sent to the court on or about 12 September 2005 [#14]. To date, the court has not received these documents.

IT IS ORDERED that McCullough amend his pleading within forty-five (45) days and provide to the court the documents previously requested.

Alexandria, Louisiana

12 May 2006



F. A. LITTLE, JR.
UNITED STATES DISTRICT JUDGE

¹ The magistrate ordered McCullough to amend his pleading and provide (1) a dated copy of his application for post-conviction relief filed in the Ninth Judicial District Court; (2) a dated copy of his application for supervisory writs on post conviction in the Third Circuit Court of Appeals, and; (3) a dated copy of his application for writ of *certiorari* in the Louisiana Supreme Court under that court’s docket number 2003-KH-2727. Petitioner was also ordered to state whether he applied for *certiorari* in the United States Supreme Court following the Louisiana Supreme Court’s denial of his writ application.